

<p align="center"><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p align="center">Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	<b>Application Number</b>	09/939,253
	<b>Filing Date</b>	August 24, 2001
	<b>First Named Inventor</b>	James M. Derderian
	<b>Art Unit</b>	2826
	<b>Examiner Name</b>	A. Williams
	<b>Attorney Docket Number</b>	2269-4830US (01-0106.00/US)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_

iii. ☐ Other \_\_\_\_

b. ☐ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)

b. ☐ Other \_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any deficiency in the following fees, or credit any overpayments, to Deposit Account No. 20-1469

i. ☒ RCE fee required under 37 C.F.R. 1.17(e)

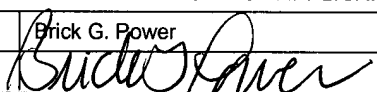
ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

iii. ☐ Other \_\_\_\_

b. ☒ Check in the amount of \$770.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print /Type)	Brick G. Power	Registration No. (Attorney/Agent)	38,581
Signature		Date	10/20/03

**CERTIFICATE OF MAILING**

Express Mail Label Number: EV326922314US

Date of Deposit: 10/20/03

Person Making Deposit: Christopher Haughton

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:** James M. Derderian

**Serial No.:** 09/939,253

**Filed:** August 24, 2001

**For:** SEMICONDUCTOR DEVICES AND  
SEMICONDUCTOR DEVICE  
ASSEMBLIES INCLUDING A  
NONCONFLUENT SPACER LAYER  
(amended)

**Confirmation No.:** 2189

**Examiner:** A. Williams

**Group Art Unit:** 2826

**Attorney Docket No.:** 2269-4830US  
(01-0106.00/US)

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV326922314US

Date of Deposit with USPS: 10/20/03

Person making Deposit: Christopher Haughton

**AMENDMENT**

**ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Final Office Action mailed on August 20, 2003, the three-month shortened statutory period for response to which expires on November 20, 2003. This Amendment is being submitted within two months of the mailing date of the Final Office Action, and is filed concurrently with a Request for Continued Examination.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper; and

**Remarks** start at page 12 of this paper.